IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

**CRIMINAL WRIT PETITION NO.1230 OF 2004**
**WITH**
**CRIMINAL REVISION APPLICATION NO. 249 OF 2006**

Shri M.S. Sharma ..Petitioner
V/s
1. The State of Maharashtra
and Another ..Respondents.

Mr. A.S. Rao for the petitioner.
Mrs. M.H. Mhatre,APP for the State.
Mr.S.G.Shirsath for respondent No.2.

**CORAM : S.C. DHARMADHIKARI, J.**

**DATE : 7TH OCTOBER, 2006.**

P.C.

. It appears that subsequent to the filing of this petition the learned Metropolitan Magistrate has dropped proceeding in complaint Case No.3/I & R of 2002. In such circumstances, petition for quashing the same at the instance of original accused No.4 would not survive and it is disposed of as infructuous.

2. Needless to state that this disposal will not affect the petitioner and shall not prevent him in any

manner raising appropriate contentions to defend the order of the learned Metropolitan Magistrate when the same is under challenge in Revision Application No. 249/2006. The petitioner in Revision Petition No. 249/2006 is directed to serve a copy of amended application to Shri Rao, appearing for respondent No.4 and Mrs. Pathan, appearing for respondents 1 and 2, within a period of one week from today. Post revision application for admission before the Regular Court on 7th November, 2006.

**( S.C. DHARMADHIKARI, J.)**

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